THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.16501 OF 2005

ORDER: 4-8-2005

Between:

P.Balaiah ….. Petitioner

And

National Federation of Urban Cooperative
Banks and Credit Societies Limited, New Delhi … Respondent

ORDER:

The relief sought in this writ petition is to declare the words "Association" appearing in bye law No.6(b) of the National Federation of Urban Cooperative Banks and Credit Societies Limited (1st respondent) and the membership of A.P. Urban & Town Cooperative Bank's Association as a member of the National Federation of Urban Cooperative Banks and Credit Societies Limited and constituting the 5th respondent, who is the President of the A.P. Urban & Town Cooperative Bank's Association, as a member of the State Level Task Force for Urban Cooperative Banks constituted by the Reserve Bank of India, as arbitrary and illegal.

Pursuant to an agreement entered into between the Government of Andhra Pradesh and the Reserve Bank of India on 27-6-2005, the State Level Task Force for Urban Cooperative Banks was constituted comprising the Regional Director of R.B.I, Representative of Central Office of Urban Banks Department of the Bank, representative of State Government and representative each from the State and National Federation of Urban Co-operative Banks for identifying and drawing up a time bound action plan for revival of potentially viable Urban Cooperative Banks and

non-disruptive exit for non-viable Urban Cooperative Banks.

Admittedly, pursuant to the constitution of State Level Task Force for Urban Cooperative Banks as provided under the Memorandum of Understanding dated 27-6-2005 entered into between Government of Andhra Pradesh and Reserve Bank, the 5th respondent has been appointed as one of the members of the Task Force to submit an action plan to enable the State Government to revive potentially viable Urban Cooperative Banks. No statutory provision has been brought to my notice governing such appointments. The memorandum of understanding entered into between the Government of Andhra Pradesh and the Reserve bank of India is contractual in nature and the matter relating to the members of the Task Force and the qualifications prescribed in this regard are matters of agreement between the State Government and the Reserve Bank of India.

The composition of members of the State Level Task Force are matters for the State Government, in its wisdom, to decide and are not matters which can be adjudicated under Article 226 of the Constitution of India.

The petitioner's grievance and the relief sought for in this regard are both wholly misconceived. The writ petition is accordingly dismissed. This order shall, however, not preclude the petitioner from availing such other remedies as are available to him in law. No costs.

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4-8-2005

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